

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2001-221-T - ORDER NO. 2001-763

AUGUST 20, 2001

IN RE: Application of Roeder & Moore, LLC d/b/a)	ORDER GRANTING
Two Men and A Truck of Charlotte and Two)	CLASS E CERTIFICATE
Men and A Truck of Rock Hill, 330)	
Yorkshire Drive, Charlotte, NC 28217 for a)	
Class E Certificate of Public Convenience and)	
Necessity to Operate as a Carrier of)	
Household Goods.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Roeder & Moore, LLC d/b/a Two Men and a Truck of Charlotte and Two Men and a Truck of Rock Hill (Two Men and a Truck or the Company) for a Class E Certificate of Public Convenience and Necessity to transport household goods as follows:

Household Goods, As Defined in R. 103-210(1):
Between points and places in South Carolina.

The Commission's Executive Director instructed the Company to publish a Notice of Filing in a newspaper of general circulation in the service areas desired. The Notice of Filing instructed the public as to how to file pleadings to participate in the proceedings on the Application. No Protests or Petitions to Intervene were filed in this matter. Accordingly, a hearing was held on August 9, 2001 at 10:30 AM in the offices of the Commission, with the Honorable William Saunders, Chairman, presiding. John J. Pringle, Jr., Esquire, represented the Company. The Company presented the testimony of

William Moore and Tara Kreh-Boyer. The Commission Staff (the Staff) was represented by F. David Butler, General Counsel. The Staff presented no witnesses.

William Moore, President of the Company testified. Moore stated that he began his career with the Two Men and a Truck franchise in Columbia. Moore's Company has acquired statewide authority in North Carolina and interstate authority as well. Moore testified that his Company is a duly licensed franchise of the "Two Men and a Truck" group of moving companies. Moore noted that his Company has a Charlotte office and a Rock Hill office, and that the offices have 60 and 10 employee movers, respectively. Moore testified about his vehicles, insurance, and safety rating status, and also testified to the fact that the Company had no judgments against it. Moore further noted that he gets 5-10 calls a day for South Carolina intrastate moves which he has no authority at present to make.

Tara Kreh-Boyer, an official with the Two Men and a Truck franchise in Columbia, testified as the shipper witness in the case. Kreh-Boyer stated that her company cannot furnish service to all who desire it, and there is definitely a market for additional movers in South Carolina in general. She noted that she receives 40-50 calls a month for moves not within her Company's certificated area, and 150 calls a month for moves which her Company cannot handle because of time constraints. Kreh-Boyer further opined that she would refer moves to the Company-applicant in this case, and that this Company was competent.

S.C. Code Ann. Section 58-23-590(C)(Supp. 2000) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the

applicant proves to the Commission that: (1) it is fit, willing, and able to perform the proposed service and comply with the provisions of the chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity.

Upon consideration of this matter, we find that the Company in this case has demonstrated that it is fit, willing, and able to perform the services sought by the Application. The testimony of witness Moore reveals that Two Men and a Truck is fit, willing, and able under the standards contained in 26 S.C. Regs. 103-133. Further, we find that the testimony of Mr. Moore and Ms. Kreh-Boyer indicate that the proposed service is required by the present public convenience and necessity.

Based upon the record before the Commission and the statutory requirements, along with the guidelines contained in the Commission's regulations, we find sufficient evidence to grant the application and therefore grant authority to Two Men and a Truck for the movement of household goods between points and places in South Carolina. This grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IT IS THEREFORE ORDERED THAT:

1. The Application of Two Men and a Truck for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for authority to transport household goods between points and places in South Carolina.

2. Two Men and a Truck shall file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended,

and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.


3. Upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued to Two Men and A Truck authorizing the motor carrier services granted herein.


4. Prior to compliance with the above referenced requirements and receipt of a Certificate, the motor carrier services authorized herein may not be provided.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

ATTEST:


Executive Director
(SEAL)


Chairman